

OFFICIAL NOTICE
DEPARTMENT OF PUBLIC SAFETY
PUSHCART RULES AND REGULATIONS

PUBLISHED MAY 21, 2011----- EFFECTIVE JUNE 5, 2011

Pursuant to the requirements of Chapter 121 of Columbus City Codes, 1959, this notice is submitted as a certified copy of the rules and regulations published May 21, 2011, to **amend Section B (9) effective June 5, 2011.**

A. Pushcart Standards

1. Generators on pushcarts powered by gasoline are prohibited. Only generators powered by propane are acceptable. Generators shall not be placed on the ground, or placed so as to extend the allowable dimensions of the cart.
2. The braking mechanism on a pushcart shall be affixed in such a manner that it is not readily removable. The use of ropes and chocks as the sole braking mechanism is prohibited.
3. Unsecured weather guards on pushcarts are prohibited. Weather guards shall be included as part of the allowable measurements of the cart.
4. With the exception of merchandise or food items to be sold, pushcarts presented for inspection shall be exactly as they will appear when operating on a public right-of-way, including any food rack.
5. No modification, even if such modification does not violate measurement requirements, shall be made to a pushcart that violates any health or safety regulation or law.
6. Umbrellas, canopies, or other covers used on pushcarts shall be clean and well maintained, with no holes or tears. Pushcart owners shall have ninety (90) days to comply with this requirement where it is necessary to replace the umbrella or canopy. Pushcart owners shall have a period of five (5) days to comply with this requirement where it is necessary only to repair or clean an umbrella or canopy. These time frames shall not apply where holes, tears, and cleanliness are found to be a violation of the Health Code. In these cases, pushcart owners shall comply as ordered by the Health Department.
7. Pushcarts shall be maintained in such a manner that prevents the spilling or splattering of grease, water, food, or trash on any public right-of-way where the cart is placed.
8. Unsecured menu boards are prohibited on pushcarts. The measurements of the menu board shall be included as part of the allowable size of the pushcart.
9. A three foot by five foot (3' x 5'), National Sanitation Foundation (NSF) approved mat shall be used with pushcarts from which foodstuff is sold. The mat shall be placed

flush with the pushcart, beneath the food preparation area in such a manner to prevent any foodstuff or grease spillage.

10. Pushcarts shall have a clean appearance at all time.

B. Pushcart Operations

1. No pushcart shall be left unattended on a public right-of-way for longer than thirty (30) minutes.
2. Pushcart owners shall be responsible for the cleaning and repair of any public right-of-way soiled, stained, or damaged by the placement and operation of their pushcarts. Such cleaning or repair shall be done in such a manner so as to return the area to its original state, and shall be at the expense of the pushcart owner. The License Section may conduct an inspection of any such area to determine if the repair or cleaning is satisfactory.
3. Pushcarts are prohibited from operating on any public right-of-way where public safety is jeopardized, as determined by the Director of Public Safety or the Divisions of Police or Fire.
4. Any pushcart found to cause consistent, justified complaints from the general public in the area where operating, shall be prohibited from operating in that area. This shall include, but not be limited to failing to maintain a clean working area, damaging sidewalks or buildings with foodstuff and wrappers, spilling of grease on the sidewalk, or failing to respect the rights of building occupants. Any finding against a pushcart owner shall be made through the process of investigations and a hearing before the License Section Manager.
5. Pushcarts with propane tanks are prohibited from operating under any skywalk or roof extended over a sidewalk from a building.
6. Propane tanks on pushcarts shall not be changed while resting on any public right-of-way.
7. No pushcart shall carry more than a forty (40) pound supply of propane on a public right-of-way. This maximum supply of propane must be manifolded to appliances where such supply is contained in more than one tank.
8. No pushcart shall be placed within ten (10) feet of any fire hydrant.
9. **Pushcart placement and peddler sales of any kind are prohibited in any City park, on any public right-of-way immediately adjacent to a City park, or any property leased from the City without written permission from the operating authority.**
10. Pushcart placement on public rights-of-way in the Brewery District, Franklin County Courthouse and the Nationwide Arena area shall be designated and distributed through a computerized lottery system supervised by the License Section Manager.

a. BREWERY DISTRICT

- The Brewery District shall include the area bordered by Sycamore Street on the south, I-71 on the north, Short Street on the west, and Pearl Street on the east.
- The following designated spaces shall be distributed through a computerized lottery system:
 - Four (4) spaces shall be designated on the west side of Front Street between the streets of Livingston and Beck.
 - Three (3) spaces shall be designated on the east side of Front Street between the streets of Livingston and Beck.
 - Three (3) spaces shall be designated on the west side of S. High Street between the streets of Livingston and Hoster.
 - One (1) space shall be designated on the east side of S. High Street between the streets of Livingston and Hoster.

b. FRANKLIN COUNTY COURTHOUSE

- The Franklin County Courthouse area shall include the area bordered by I-71 on the south, Mound Street on the north, Front Street on the west, and Third Street on the east.
- The following designated spaces shall be distributed through a computerized lottery system:
 - Four (4) spaces shall be designated on the west side of S. High Street between the streets of Fulton and Mound, in front of the Franklin County Courthouse.
 - Four (4) spaces shall be designated on the east side of S. High Street between the streets of Fulton and Mound, directly across from the Franklin County Courthouse.

c. NATIONWIDE ARENA AREA

- The Arena District shall include the area bordered by Goodale Avenue on the north, Spring Street on the south, Neil Avenue on the west and N. High Street on the East. Spaces as designated.

11. No person shall place or operate any pushcart in any undesignated Area.

12. No person shall occupy any designated space not awarded to that pushcart owner through the lottery system.

13. The number of designated spaces in all specified areas are subject to change where public safety concerns exist as determined by the Director Public Safety or designee.

14. Maps of the designated areas shall be available in the License Section.

C. Lottery Procedures

1. A separate lottery shall be conducted for each of the following locations:
Brewery District
Franklin County Courthouse Area
Nationwide Arena Area
2. The computer will randomly select the designated position for each pushcart.
3. Each space awarded shall be occupied for the following time periods:
Brewery District -One (1) Month
Franklin County Courthouse -Two (2) Weeks
Nationwide Arena Area -Two (2) Weeks
4. Eligible pushcart owners may register for one or all of the lotteries.
5. Only one (1) pushcart per owner or business may be registered for each lottery.
6. No pushcart owner shall register for another owner for any lottery.
7. All eligible pushcart owners shall be provided with a copy of the registration procedures for entering the lotteries.
8. All pushcart owners awarded a space in the lottery shall sign a "Notice of Policy" acknowledging that they received, understand, and agree with the policies and penalties regarding pushcart operations in all designated areas.

D. At no time shall any person operate or cause to be operated any pushcart upon any public right-of-way constructed of brick, marble, or granite.

E. Penalties

Failure to comply with these rules and regulations shall be cause for a hearing before the License Section Manager for the possible suspension or revocation of the pushcart license.

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